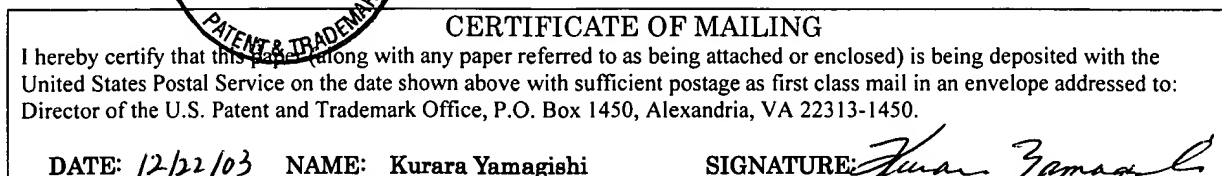


PATENT



In re application of: Shoji Uchiyama

Docket Number:
Y02YL017

Serial No.: 09/933,989

Filed: August 20, 2001

Group art Unit: 1617

FOR: USE OF AGARICUS BLAZEI MURILL TO)
PREVENT OR TREAT SKIN AND OTHER DISORDERS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R.
§1.97(c)(2)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached Substitute Form PTO 1449 (in duplicate).

This Information Disclosure Statement is being submitted pursuant to 37 C.F.R. §1.97(c). Therefore a check is enclosed for \$180, for the fee under 37 C.F.R. §1.17(p). If any other fee is due, the Commissioner is authorized to charge Deposit Account No. 502270. Moreover, please credit any overpayment to Deposit Account No. 502270.


Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Substitute PTO 1449 form.

This submission does not represent that a search has been made or that no better art

exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art". If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determined that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Respectfully submitted,

Date: December 19, 2003


Konomi Takeshita
Registration No. 38,333

Omori & Yaguchi USA, LLC
Eight Penn Center, Suite 1360
1628 John F. Kennedy Boulevard
Philadelphia, PA 19103
Telephone: (215) 701-6349
Facsimile: (215) 701-6351



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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

Application Number 09/933,989
Filing Date August 20, 2001
First Named Inventor Shoji Uchiyama
Examiner Name Kim, Jennifer M.
Art Unit 1617
Attorney Docket No. Y02YL017

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

502270

Omori & Yaguchi USA, LLC

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below	Fee Paid
Independent Claims	Multiple Dependent	-20** =	-3** =		

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	\$180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180.00

SUBMITTED BY

Name (Print/Type) Komomi Takeshita
Signature

Registration No. 38,333
(Attorney/Agent)

(Complete if applicable)

Telephone 215 701-6349

Date Dec. 17, 2003

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	3	of	7
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Complete if Known

Application Number	09/933,989
Filing Date	August 20, 2001
First Named Inventor	Shoji Uchiyama
Art Unit	1617
Examiner Name	Kim, Jennifer M.
Attorney Docket Number	Y02YL017

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

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Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY			
		JP H 11-228354	08-24-1999	Takei Masumi		
		JP H 11-080016	03-23-1999	Atsumi Takamasa et al		
		JP H 11-079949	03-23-1999	Atsumi Takamasa et al		
		EP 0924220 A2	06-23-1999	Katsumi Yoichi		
		EP 1002541A1	05-24-2000	Ito Hitoshi et al		
		JP 2000-004829	01-11-2000	Hirao Haruhiko		

Examiner Signature		Date Considered	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

4

of

7

Complete if Known

Application Number	09/933.989
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Filing Date	August 20, 2001
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First Named Inventor	Shoji Uchivama
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Art Unit	1617
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Examiner Name	Kim, Jennifer M.
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Attorney Docket Number	Y02YL017
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U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

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Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY			
		JP H 09-191852	07-29-1997	Tokumaru Sennosuke		
		JP 2000-201647	07-25-2000	Takizawa Isamu		
		JP H 11-103877	04-20-1999	Sadoyama Keiichi		
		JP 2000-016947	01-18-2000	Higaki Miyato et al		
		JP 2000-143526	05-23-2000	Asuke Kazuhide		
		JP H 10-287584	10-27-1998	Horiuchi Isao		

Examiner
Signature

Date
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Sheet	5	of	7
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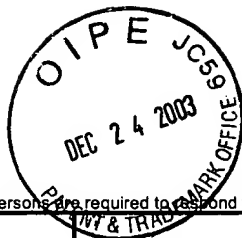
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		JP H 11-080014	03-23-1999	Sadoyama Keiichi		

Examiner Signature		Date Considered	
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 6

of

7

Complete if Known

Application Number 09/933,989

Filing Date August 20, 2001

First Named Inventor Shoji Uchiyama

Art Unit 1617

Examiner Name Kim, Jennifer M.

Attorney Docket Number Y02YL017

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		OSHIMAN K et al., Orally administered beta-1,6-D-polyglucose extracted from Agaricus blazei results in tumor regression in tumor-bearing mice., Pub Med, July, 2002	
		OHNO N et al., Antitumor beta glucan from the cultured fruit body of Agaricus blazei., Pub Med, July, 2001	
		SHIMIZU S et al., Activation of the alternative complement pathway by Agaricus blazei Murill., Pub Med, September, 2002	
		MARTINS DE OLIVEIRA J et al., Anti-genotoxic effect of aqueous extracts of sun mushroom (Agaricus blazei Murill lineage 99/26) in mammalian cells in vitro., Pub Med, December, 2002	
		DONG Q et al., Structural characterization of a water-soluble beta-D-glucan from fruiting bodies of Agaricus blazei Murr., Pub Med, September 2002	
		MENOLI RC et al., Antimutagenic effects of the mushroom Agaricus blazei Murrill extracts on V79 cells., Pub Med, September 20, 2001	
		FUJIMIYA Y et al., Selective tumoricidal effect of soluble proteoglucan extracted from the basidiomycete, Agaricus blazei Murill, mediated via natural killer cell activation and apoptosis.. Pub Med. May 1998	
		FUJIMIYA Y et al., Tumor-specific cytotoxic and immunopotentiating effects of relatively low molecular weight products derived from the basidiomycete, Agaricus blazei Murill., Pub Med, January-February, 1999	
		MIZUNO M et al., Anti-tumor polysaccharide from the mycelium of liquid-cultured Agaricus blazei mill., Pub Med, April, 1999	
		ITOH H et al., Inhibitory action of a (1-->6)-beta-D-glucan-protein complex (F III-2-b) isolated from Agaricus blazei Murill ("himematsutake") on Meth A fibrosarcoma-bearing mice and its antitumor mechanism.. Pub Med. October. 1994	

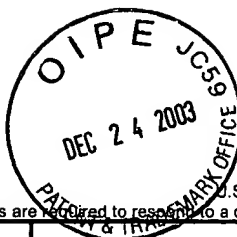
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE
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(Use as many sheets as necessary)

Sheet

7

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First Named Inventor Shoji Uchiyama

Art Unit 1617

Examiner Name Kim, Jennifer M.

Attorney Docket Number Y02YL017

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		ITO H et al., Antitumor effects of a new polysaccharide-protein complex (ATOM) prepared from Agaricus blazei (Iwade strain 101) "Himematsutake" and its mechanisms in tumor-bearing mice., Pub Med, Jan-Feb, 1997	
		FUJIMIYA Y et al., Selective tumoricidal effect of soluble proteoglycan extracted from the basidiomycete, Agaricus blazei Murill, mediated via natural killer cell activation and apoptosis., Pub Med, May, 1998	
		EBINA T et al., Antitumor effect of a peptide-glucan preparation extracted from Agaricus blazei in a double-grafted tumor system in mice., Pub Med, 1998	
		MIZUNO M et al., Anti-tumor polysaccharide from the mycelium of liquid-cultured Agaricus blazei mill., Pub Med, April, 1999	
		KAWAGISHI H et al., Fractionation and antitumor activity of the water-insoluble residue of Agaricus blazei fruiting bodies., Pub Med, March 15, 1989	
		MIZUNO M et al., Polysaccharides from Agaricus blazei stimulate lymphocyte T-cell subsets in mice., Pub Med, March, 1998	
		TAKAKU T et al., Isolation of an antitumor compound from Agaricus blazei Murill and its mechanism of action., Pub Med, May 2001	

Examiner
SignatureDate
Considered

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